

Exhibit B

TO: Auto-reply fax to 6508494800 COMPANY:

Auto-Reply Facsimile Transmission



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Fax Information

Date Received:

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Total Pages:

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09/27/2006 14:43 FAX 6508494800		BINGHAM McCUTCHEN LLP		001																
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Facsimile																				
DATE: September 27, 2006																				
Bingham McCutchen LLP 1000 University Avenue East Palo Alto, CA 94303-2233 650.849.4600 650.849.4800 fax bingham.com Boston Hartford London Los Angeles New York Orange County San Francisco Silicon Valley Tokyo Walnut Creek Washington		<table border="1"> <thead> <tr> <th>NAME</th> <th>FAX</th> <th>PHONE</th> </tr> </thead> <tbody> <tr> <td>TO: Office of Petitions U.S. Patent and Trademark Office</td> <td>571-273-8300</td> <td>571-272-3225</td> </tr> <tr> <td>FROM: Gerald Chan gerald.chan@bingham.com</td> <td>(650) 849-4800</td> <td>(650) 849-4960</td> </tr> </tbody> </table>				NAME	FAX	PHONE	TO: Office of Petitions U.S. Patent and Trademark Office	571-273-8300	571-272-3225	FROM: Gerald Chan gerald.chan@bingham.com	(650) 849-4800	(650) 849-4960						
NAME	FAX	PHONE																		
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FROM: Gerald Chan gerald.chan@bingham.com	(650) 849-4800	(650) 849-4960																		
PAGES: (INCLUDING THIS COVER PAGE): 6																				
RE: U.S. Patent Application Serial No. 10/023,264 Entitled: HEARING PROSTHESIS WITH AUTOMATIC CLASSIFICATION OF THE LISTENING ENVIRONMENT Filed: December 18, 2001 Attorney Docket No. GNA7005162001 (Formerly 22645-7202)																				
MESSAGE:																				
Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)): [X] Pursuant to 37 C.F.R. § 1.8(a), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of <u>Office of Petitions</u> at Facsimile No. <u>571-273-8300</u> . Dated: <u>September 27, 2006</u> Name of Person Certifying: <u>Shella Sadon</u> Printed Name: Shella Sadon																				
Enclosed:																				
<ul style="list-style-type: none"> Response to Decision on Renewed Petition Claiming Benefit of Earlier Filing Date Under 37 CFR 1.55 (c). 																				
The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor a person responsible for the delivery of this transmittal to the intended recipient(s), you are hereby notified that any unauthorized reading, distribution, copying or disclosure of this transmittal is prohibited. If you have received this transmittal in error, please notify us immediately at (same telephone number as in first paragraph - with duplicate) and return the transmittal to the sender. Thank you.																				
<table border="1"> <tr> <td>Transmitter No:</td> <td>27577</td> <td>Client/Master No:</td> <td>2004439-7005162001</td> <td>DATE/TIME STAMP</td> </tr> <tr> <td>Client/Master Name:</td> <td>ON Record</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Form No.:</td> <td>Shella Sadon</td> <td>Floor No.:</td> <td>04</td> <td></td> </tr> </table>						Transmitter No:	27577	Client/Master No:	2004439-7005162001	DATE/TIME STAMP	Client/Master Name:	ON Record				Form No.:	Shella Sadon	Floor No.:	04	
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PAGE 1/6 * RCV'D AT 9/27/2006 5:44:16 PM (Eastern Daylight Time) * SVR:USPTO-EPXOF-114 * CNR:2738300 * CSD:6508494800 * DURATION (min-sec): 01:54																				

*** TX REPORT ***

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BINGHAM McCUTCHEN

Facsimile

DATE: September 27, 2006

Bingham McCutchen LLP
1900 University Avenue
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94303-2223

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Walnut Creek
Washington

	NAME	FAX	PHONE
TO:	Office of Petitions U.S. Patent and Trademark Office	571-273-8300	571-272-3225

FROM: Gerald Chan (650) 849-4800 (650) 849-4960
gerald.chan@bingham.com

PAGES: (INCLUDING THIS COVER PAGE): 6

RE: U.S. Patent Application Serial No: 10/023,264
Entitled: HEARING PROSTHESIS WITH AUTOMATIC
CLASSIFICATION OF THE LISTENING ENVIRONMENT
Filed: December 18, 2001
Attorney Docket No. GNA7005162001 (Formerly 22645-7202)

MESSAGE:**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Office of Petitions at Facsimile No. 571-273-8300.

Dated: September 27, 2006

Name of Person Certifying: Sheila Badon

Printed Name: Sheila Badon

Enclosed:

- Response to Decision on Renewed Petition Claiming Benefit of Earlier Filing Date Under 37 CFR 1.55 (c).

Facsimile

DATE: September 27, 2006

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For transmission problems, please call (650) 849-4825

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Timekeeper No:	27577	Client/Matter No:	2024429-7005162001	DATE/TIME STAMP
Client/Matter Name:	GN Resound			
Return To:	Sheila Badon		Floor No:	04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Nils Peter Nordqvist, et al.

Serial No.: 10/023,264

Filed: December 18, 2001

For: HEARING PROSTHESIS WITH
AUTOMATIC CLASSIFICATION OF THE
LISTENING ENVIRONMENT

Attorney Handling Petition:

Paul Shanoski

Attn: Paul Shanoski
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO DECISION ON RENEWED PETITION CLAIMING BENEFIT OF
EARLIER FILING DATE UNDER 37 CFR 1.55(c)**

Dear Sir:

In response to the Decision On Renewed Petition mailed on August 30, 2006, Applicants respectfully submit the following remarks and request for reconsideration.

On April 13, 2006, Applicants petitioned for acceptance of a claim of priority that was presented in the above-referenced non-provisional application after the time period provided by paragraph 37 C.F.R. § 1.78(a)(2)(ii). The petition was accompanied with, among other documents, (1) a Request for Continued Examination, (2) a claim of priority, (3) an amendment inserting the relate-back statement in the specification, and (3) an Application Data Sheet ("ADS") Under 37 CFR 1.76(b)(6).

According to the Decision On Renewed Petition, the renewed petition is dismissed because the ADS does not indicate the relationship between the present application and the PCT application PCT/DK01/00226. However, 37 C.F.R. § 1.76(b)(6) states:

FOREIGN PRIORITY INFORMATION.

This information includes the application number, country, and filing date of each foreign application for which priority is claimed, as well as any foreign application having a filing date before that of the application for which priority is claimed. Providing this information in the application

data sheet constitutes the claim for priority as required by 35 U.S.C.
119(b) and §1.55(a).

(Emphasis Added)

As such, according to 37 C.F.R. § 1.76(b)(6), providing the “application number, country, and filing date” in the ADS “constitutes the claim for priority,” and therefore, does not require Applicants to explicitly describe the relationship between the present application and the applications listed in the ADS.

In case there is any doubt as to how the PCT application is related to the present application, Applicants had also previously submitted with the petition, an amendment to the specification (see EXHIBIT A) to include the following statement regarding claim of priority:

This application is a continuation of PCT Patent Application
PCT/DK01/00226, filed April 4, 2001, which claims priority from Danish
Patent Application PA 2000 00554, filed April 4, 2000.

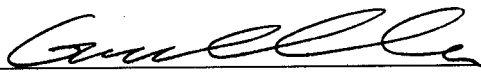
As such, there should be no question regarding the relationship between the present application and the applications listed in the ADS.

For the foregoing reasons, Applicants respectfully request that the Office reconsiders the April 13, 2006 petition.

The Commissioner is authorized to charge the appropriate fee under 37 C.F.R. § 1.136(a), and any fee in connection with this petition, to Deposit Account No. 502518, referencing Attorney Docket No. 7005162001. If the Examiner determines that a telephone interview would advance handling of this matter, the Examiner is respectfully requested to contact the undersigned at (650) 849-4960.

DATE: September 27, 2006

Respectfully submitted,

By: 
Gerald Chan
Registration No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4960
Facsimile: (650) 849-4800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	Confirmation No.: 5504
)	
Nils Peter Nordqvist, et al.)	Group Art Unit: 2643
)	
Serial No.: 10/023,264)	Examiner: Ensey, Brian
)	
Filed: December 18, 2001)	
)	
For: HEARING PROSTHESIS WITH)	
AUTOMATIC CLASSIFICATION)	
OF THE LISTENING)	
ENVIRONMENT)	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

This paper is submitted in connection with the concurrently filed Request for Continued Examination and Petition Claiming Benefit of Earlier Filing Date Under 37 C.F.R. § 1.55(c). Please amend the application as follows:

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee', Express Mail Label No. EV347036332 US, in an envelope addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

4-13-06
Date of Deposit
PA/52181074.1

Sheila Badon
Sheila Badon

AMENDMENT TO THE SPECIFICATION

Please insert at page 1, line 3, the following:

--RELATED APPLICATION DATA--

-- This application is a continuation of PCT Patent Application PCT/DK01/00226, filed April 4, 2001, which claims priority from Danish Patent Application PA 2000 00554, filed April 4, 2000.--

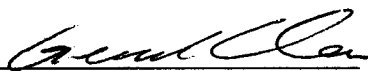
REMARKS

The specification has been amended to insert related application data.

If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (650) 489-4960.

Respectfully submitted,

Dated: April 13, 2006

By: 
Gerald Chan
Reg. No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center, 18th Floor
San Francisco, California 94111
Customer No. 23639